

5 Polit. Pamphlet vol 112.

LETTER

TO A

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GREAT MAN in *France*;

In which are briefly considered,

The following *Popular* Points:

VIZ.

The Conduct of Mr. P-----y.

The Right of Instructing Members.

The Importance and Necessity of procuring
Justice to be inflicted upon Publick
Criminals.

Of Repealing the Septennial Act. And,

Of Limiting the Number of Placemen.

—Dicere Verum

Quid vetat?—

HOR.

L O N D O N:

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M.DCC.XLIII.

LETTER

TO A

GREAT MAN IN

IN WHICH

The following

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Printed

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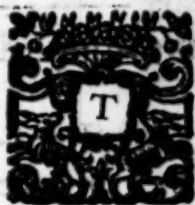


LETTER

TO A

Great Man in *France*, &c.

My Lord,



O justify one Character by retorting worse things on another, may be a Method practised by the *Guilty*, but never should be pursued by the *Innocent*: It serves to no other Purpose, but to shew, that there are *two* bad Characters instead of *one*, and affords only an Opportunity to the Publick to decide, from Facts alledged, which is the *worst* of the *two*, without *clearing either*. In one Word, it gives a Sanction to the old Adage, *That when Rogues fall out, honest Men come by their own*.

As, from the narrowest Inspection into Mr. P----y's Conduct, I can see nothing of this *Stamp* within him, I shall wave all Re-

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crimi-

criminations, which might tempt the Publick, to believe his Character has no other Justification; and as I have also look'd into the Conduct of the E--- of B---, I here pronounce them both to be consistent, and of a Piece, with each other.

“ Mr. P---y (according to your Lordship's first Account of him) stept forth
 “ as a *Champion* in the Cause of *Liberty*;
 “ devoted himself an *eternal Enemy* to *Cor-*
 “ *ruption* ——— employ'd all his *Powers*
 “ and *Faculties* in the *Service* of his *Coun-*
 “ *try* ——— found himself *supported* by a great
 “ Number of Gentlemen who had the
 “ *Good* of their Country at Heart ———
 “ triumph'd over *M--st--l Tyranny*, and led
 “ *Corruption captive*.

“ Mr. P---y (according to your Lordship's second Account of him) in one
 “ Week ruin'd his ten Years *Fame* ———
 “ was against a *Coalition* of Parties — not
 “ only grew cool in it, but plunged into an
 “ *Abyss of Iniquities* ——— enter'd into a
 “ *compromisory League* with the worst of
 “ Men, the Man he had (or seem'd to
 “ have) *detested, convicted, condemn'd* ———
 “ became an *Advocate* to *Corruption*, a
 “ *Patron* to *Mal-administration*, and an
 “ *Enemy* to *Liberty* ——— made *Patriotism*
 “ a *Jest*, the *Change* of the *Ministry* a
 “ *Farce*, and the *Thr--ne* the worst of *San-*
 “ *ctuaries*.”

I shall

I shall make no other Observation on the first Part of the Character, given by your Lordship, of Mr. P---y, but that it is justly drawn; and proceed to your Lordship's second Account of him.

Mr. P---y was against a Coalition of Parties, and grew cool in it.

When Mr. P---y was for a *Coalition* of Parties, it was not, that he approved of the Sentiments and Principles of all Parties, or that he thought, they ever could *close* together; but that a *Coalition* of Parties, at that Juncture, was necessary, to carry on the grand Work he had been so many Years engaged in, of wresting *Power* out of the Hands of *one*, who, in his Judgment, misused it. Could any one in his Senses, could you, my Lord, imagine, Mr. P---y could ever approve of *Jacobite* Principles, or could ever think them *consistent* with those of *Whiggism*! But Mr. P---y, nevertheless, (your Lordship says) was for a *Coalition*, and for burying all Distinction of Names and Parties: True — Mr. P---y, like a wise Man, took in every Aid that he possibly could get, that by means of the united Force of all together, he might the sooner compass his End; after which, each Party, divided *ab origine* in Principles, emerg'd again, divided in *Interests*, as before.

Mr. P---y plunged into an Abyss of Iniquities.

This, my Lord, is so very general, as well as so very dark and inexplicit, that, till your Lordship shall be pleased to furnish a Clue, there can be no stepping into this Abyss.

Mr. P---y entered into a compromisory League with the worst of Men, the Man he had (or seem'd to have) detested, convicted, condemn'd.

I don't know what compromisory League your Lordship hints at : I know indeed the Man your Lordship means. *Mr. P---y detested*, (I will frankly own, if that will be any Satisfaction to you) *convicted*, and *condemn'd* his Measures ; but *Mr. P---y* did not know, (I must also as frankly own) nor *can* any Man know, what Motives another may have, what Reasons give, in Support of the Necessity of his Conduct : His Conduct, in *Mr. P---y's* Judgment, was wrong ; he therefore oppos'd *him*, and in *him* it, because he saw, while he continued in Power, he either *would*, or *could* not alter his Conduct. The Moment therefore he was *remov'd*, the great Work was done — and as *Mr. P---y* was neither actuated by *Revenge*, *Lucre*, or *Ambition*, he thought no more of the *Man*. An *Inquiry* however was had into his Conduct, and a *Report* thereof
made

made — and the Whole of the *Allegata* against him, appeared so *slight* to your Lordship, that, if I am not misinformed, it has given you an Opportunity to say a *Bon Mot* on the Occasion, viz. *That it was a Hue and Cry after Petty Larceny.*

Mr P----y became an Advocate to Corruption — a Patron to Mal-administration, and an Enemy to Liberty.

Your Lordship, I find, (and indeed it has ever been your Lordship's Principle) sticks at nothing, that may aggravate your Charge.

But how did Mr. P----y become an Advocate to Corruption, a Patron to Mal-administration, and an Enemy to Liberty? By removing (as your Lordship has frequently styled him) the GRAND CORRUPTER and Mal-administrator, and by restoring Liberty in divesting him of Power!

Mr. P----y made Patriotism a Jest, the Change of the M--n--ry a Farce, and the Thr--ne the worst of Sanctuaries.

If Mr. P----y thought the late Minister, dangerous to the Constitution and Liberty of G--- B----n, by turning the Power he was vested with, against both, and from that Motive, (which alone deserves the Name of *Patriotism*) opposed him, how can he be charged with making *Patriotism* a *Jest*?

How

How can he be said to make the Change of the M--n---ry a Farce, when a Change of the M--n---ry, if there is any thing in the *Vox Populi*, of late so cry'd up, was thought to be the only Means of bringing about that desirable End, the Preservation of the Constitution and Liberties of G---B---n?

Before I answer the last Article of the Charge, *viz.* *The making the Th---ne the worst of Sanctuaries*, I must, with your Lordship's Leave, unravel its perplex'd Sense, and expose its malignant Tendency.

Whoever calls the *Th---ne* a Sanctuary, necessarily supposes a *previous Reason* for such a Sanctuary.

This previous Reason must be, some *understood, tacit, Condition* annex'd to the Power of the M--n--r, by which something on his Part must be performed, in the doing of which, he may possibly expose himself to the Odium of the People, and will therefore want a Sanctuary. Either therefore the present M--n--ry (which your Lordship plainly, tho' guardedly, supposes) holds Power circumscrib'd, as the late M--n--r did, for which he now enjoys the Sanctuary your Lordship has found out for him, or they do not: If they do, they then justify him, as well as themselves, since it appears by your Lordship, all M---n---l Power is held conditionally.

Supr

Suppose then, the present M—n—s (according to the Language of a modern Writer) *resign*, as either not caring to hold Power by this Tenure, or not able to hold it by any other, their *Successors*, by the same Reason, *must* be obliged to give up also, or follow the Track of those that went before; for it is an improbable Supposition, inconsistent with common Sense, to imagine a *Sanctuary*, or *Protection*, for any thing *bad*, merely because it is *bad*.

Whom then is your Lordship driving at all this while? whom is your Lordship arraigning? Is it the *late*, the *present*, or a *future M—n—ry*? No, These your Lordship has plainly shewn to be under the Influence of *inevitable Necessity*.

Let me then unveil your dark Purpose; expose the lurking covert Treason of your *asserted Sanctuary*! Let me tell you plainly, *Your Aim is to stir up the People to a Rebellion; and, by hinting how bias'd and warp'd every other's Interests are, insinuate, that one Family alone has Interests that does not jar with those of G— B—n, and is therefore most native to the Th—ne!*

This, my Lord, is instilling *Jacobitism*, in the most dangerous way, into the Minds of the People: This is conveying, like an artful Poisoner, your treasonable Dose, in the most palatable *Vehicle* you can think of, to the
Taste

Taste of the People: This is raising a Disaffection in the People, to the present Family, in order to make room, and pave the Way, for a *Rebellion* in favour of the Pretender.

I should now proceed to shew your Lordship how consistent the Principles of the E. of B— are with those of Mr. P—y; but I believe, from what goes before, your Lordship will be of Opinion, that I may save myself, and you, that Trouble. I shall therefore confine myself to some few Words on the remaining Points in your Lordship's Letter; viz. the *Right of instructing Members*, the *Importance and Necessity of procuring Justice on publick Criminals*; of *repealing the Septennial Act*, and *limiting the Number of Placemen at this Crisis, previous to all other Considerations*.

As to the First, my Lord, it is a Question that will scarce bear a Debate, whether Electors have a Right, to address their Members on national Points, and Matters wholly of publick and general Concern. In what relates to the private Interests of their respective Boroughs, the Case is different: They are elected for that particular Purpose, and are to receive Instructions from time to time, as Occasions may happen, and any thing may be necessary to be done.

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But where a Borough, or a Corporation, has returned a Gentleman, to represent that Part of the Nation for which he is return'd, in the larger Duty of a Representative of the People, in their more general Rights and Interests, they; *ipso facto*, depend upon his *Judgment* and *Integrity*, and have no Right whatsoever, to represent any thing on those Matters to him, nor is he, in any Sense, bound to act, but according to his own Judgment and Conscience.

Let it be once allowed, (and sure your Lordship will not contest it) that a Member may *honestly differ* in Opinion, with his Electors, on some *National* Point — I ask *whose* Sense he is bound to follow, *his own*, or his *Constituents*?

This then, my Lord, without any further Argument, sufficiently shews the Absurdity and Folly of all Representations of this kind; for if the Electors Sense falls in with the Member's, such Representation is an *officious Foolishness*; and if it differs, it is absurd to expect any Man should vote *against* his own Conscience; he must not only be a *weak*, but a *wicked* Man to do it. Besides, what Man can tell how he shall vote, (if his Conscience is to guide him) *before* he hears the Matter debated? Or how can Electors, consistent with common Sense,
B
pretend

pretend to instruct, supposing they had a Right, when Facts may turn out very different from what they conceived them to be, before the Matter came to be debated?

Either the House of Commons are the proper legal Representatives of the People, or they are not; if they are, the People vest them, when they elect them, with a Power to act for them, for a Term of Years, in an *absolute, unlimited* Sense; not *subject* to any *Restrictions* or *Reservations* — Power once legally delegated, cannot *without Violence* be resum'd. It is *resuming* the Power given, to *prescribe* to Members, *what to do*; it is *vacating*, in effect, the *House of Commons* — *infringing* upon their *Privileges, Constitution, and Power*; it is *governing* by the *People*, instead of the *People's Representatives*; and if the *People* itself has no Right to this Power, what Right has any annual Magistrate or Magistrates, whose Business and Office extends no further than the City he is chose for, and the particular Administration of its immediate Concerns, to presume to take upon them so unwarrantable a Power?

As to the second Point, your Lordship, I confess, is the most glaring Instance of the *Necessity and Importance of procuring Justice on publick Criminals*, that can be
quoted;

quoted; but it is better Ten *bad* Men should *escape*, than that *the Law*, in any Case almost, should be *wrested*.

But, not to enter too minutely into the Reasons, your Lordship urges in Support of this Necessity, the Difference between your Lordship's Case, and the present one, is, that in *yours* the Evidence was *full* and *complete*; in *this*, to be FISH'D FOR! And it is the greatest *Unfairness* in the World, to draw *positive* Inferences of Guilt, from *unascertained, unexplained* Facts. It is begging the Question with the highest Hand; it is *condemning* without *Proof*, and *executing* without *Sentence*.

But what Protestations have been given, and to whom? Has any Promise been made to the Nation, that any particular Man SHALL be found *guilty*? Who could make such a Promise? Has any Promise been made to the Nation, that he shall be *executed*, whether *Guilty* or *No*?

An Opposition had been for some time carried on against the late Minister, founded, it is presumed, on an Opinion, Affairs, *foreign* and *domestick*, were not so well managed, as they might have been. This Opposition tended to wrest the Power out of his Hands, on this Principle, *of managing better for the publick Good*. The first Motion made, proves this Fact. Every

Motion since, relative to this Point, were only so many different Ways of coming at it. It has at length succeeded: Power is gone from him, and, as an *Englishman*, I sincerely hope, all *Faults imputed to him*, will be *avoided by his Successors*.

It is a very easy Matter, my Lord, to asperse, when one is not obliged to bring *Vouchers*, or when one will take up *Allegations as Facts*: Every petty Lawyer, in drawing a Bill in *Chancery*, can load his adverse Party, in the formal Part of his Bill, because he is not restricted to the Truth. But when the Cause comes to be tried, your Lordship would have an ill Opinion of the Judge, that should lay any Stress thereon.

Your Lordship's next Point is the Repeal of the *Septennial Act*. A modern Writer (perhaps your Lordship in another Shape) asks for an *annual* Parliament.

Your Lordship is not ignorant, that there are but Two Ways of coming into *Parliament*, either by a *natural*, or an *acquired* Interest. Where the *first* is, the *same* Person will be constantly *chose*, and the proposed Remedy of an *annual* or *triennial* Parliament, prove *defective* here: And as to the second, I believe your Lordship will be of Opinion, that an *Agreement for Seven Years* may be made with a *Corporation* or *Borough*,

Borough, for Seven Elections of the same Person, just as easily as for one, that is to last Seven Years. But unless your Lordship proposes an *annual* or *triennial* Minister or Ministry, I don't see what will be gained by an *annual* or *triennial* Parliament, for, as such Parliaments will be *chosen*, in the *same* manner, as the *septennial* is, their Conduct will, it may naturally be supposed, be the same. But your Lordship may possibly say, that all Corporations or Boroughs will not agree, were they left to their Choice, for so long a Term of Years.

Your Lordship will be pleased to recollect, we are talking of *venal* Boroughs (if there is any such thing); and it seems to me, if a *Borough is to be bought*, and *Electors are necessitous*, that they would rather chuse to sell themselves even for a *longer* Term, if they had it in their Choice, and it would be worth a Candidate's while to purchase for the *longest*, since, come what Minister will, such Candidates stand most *in the Minister's Eye*, as most proper to *be secured*.

As the Case now is, those who have a *natural* Interest, are chosen into as many Parliaments as they please: Their *Tenants* are their *Electors*, and *must chuse* them. So that, let there be an *annual* or *triennial* Parliament, it will not affect *their* Seats; and as to the others, I think it appears pretty plain,

plain, that it would make no Alteration, at least, for the better.

But, my Lord, *annual* or even *triennial* Parliaments, *annual* or *triennial* Ministers, would greatly affect our *Weight abroad!* Ignorant as other Nations are, of our *Constitution*, they yet know, *Supplies are granted annually*: And what State would enter into any expensive Engagement with us, let it be ever so *necessary* or *pressing*, when they could not be certain of our *Continuance in it from Year's End to Year's End!*

I might follow your Lordship's Example, and say very little concerning *limiting the Number of Placemen*; but as I think the Subject has never been fairly spoke to, I shall trespass on your Lordship's Patience for a few Observations, on which your Lordship may, if you please, observe again.

I beg Leave then to observe, that *Limiting the Number of Placemen* cannot be supported by Reason or Justice, is *wrong in Politicks*, and is *no Part of our Constitution*.

For, first, What Reason or Justice is there, that Gentlemen who devote themselves to the Service of their Country, by representing her, should alone be deprived the *common Right*, every other Subject of *Talents, Abilities* or *Interest* has, of providing
for

for himself or Family? Shall Gentlemen of large Properties or considerable Interest in a County, City, Borough, or Corporation, have this *Clog* thrown upon their Inclinations to serve their Country, that *if they will*, they must, *ipso facto*, preclude themselves from any Advantages their Services may deserve? Shall Gentlemen be *disheartened* then from serving their Country this way? Are there so many Publick Spirits among us, that we must throw a *Damp* upon their *Ardour*? *retrench* their *Numbers*? Why then limit the Number of Placemen, since neither Reason nor Justice (abstractedly considered as to Right or Wrong) can afford one Argument in favour of it?

As to the second Point, *viz.* *That it is wrong in Politicks*, the whole Scheme of Politicks is to turn the *private* Man to a *publick Use*: But as publick Service is generally attended with Trouble, Difficulty, and sometimes Expence, and that there are not (nor indeed can it be expected there should be) many Men who will take this Task upon themselves voluntarily, wise Politicians have annexed *Honours*, *Rewards*, or other *Emoluments*, to induce Men to *turn themselves outwardly*, and *contribute to this general Service of the whole*.

On

On this Footing, *Titles, Honours, Places, Pensions*, have been introduced into *all Governments*, and are distributed to such ^{men} *men*, who by one or other of these, (as their particular Bent happens to be) may be induced to turn their Talents to the *Service of their Country*: And by means of these *Power is supported*. The Abuse of all this is, when these Things are distributed *improperly*. But *are Things bad or wrong in themselves, or their Necessity and Use to be destroyed*, because they may be *abused*? And are the *Means, the only Means, of maintaining Government and Power*, to be thrown to the Ground, because they may *corruptedly* be employed?

Either it must be shewn, that *Government* can be supported *without* these Means, or the *Inconveniencies* arising from their Abuse must be considered as *necessary Evils in Society*, for which no Remedy can be found, and not as *mala per se*.

But it may possibly be said, That limiting the Number of *Placemen* will in some Degree prevent *this necessary Evil* resulting from the Abuse of Politicks, *without destroying* the Means of Government.

I have too good an Opinion of your Lordship's Judgment, to make you reason *against the Necessity of Power* from the *Abuse* of it, and therefore have not put
this

this Argument into your Mouth — But to consider it coolly, and with regard to its Importance.

The Mistakes which most Men run into in all their Reasonings, generally arise from their considering the Point in Question as an *Individuum*, as having no Relation (as a Part has to the Whole) to any thing beyond itself.

Thus, Members may be bias'd by Places: *Ergo*, Limit the Number of Placemen! They don't say, *Power, Authority, Government*, are supported by these *dispensing* Means, and must fall to the Ground without them. They don't say, Men are induced to serve their Country by Rewards; therefore Rewards are necessary: No; the present Evil strikes their Eyes: Remove that, tho' the whole System of Power sinks with it.

If therefore 'tis a right Thing, that this *dispensing* Power should be exerted in all Governments, any Attempt to exclude any particular Body of Men from reaping the Benefit thereof, is *politically wrong*, altho' some Inconveniencies may result from it.

I come now to the third Point, *viz. That it is no Part of our Constitution*. But as it is impossible to prove a Negative, I shall only observe, in favour of my Assertion, that any Act or Acts that may have been pass
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for this Purpose, do not at all make it a Part of our Constitution. To make it a Part of the Constitution, there must have been *some original Compact between the People and their Representatives, precluding these from sharing any Reward for Services done their Country, or limiting such Rewards to a certain Number amongst them.* Any thing less than this, will no more make it a Part of our Constitution, than any other Act of Parliament, which may be repealed and made void.

I believe the contrary to this might be supported, and that it has in former Times been looked upon as a Breach of the Constitution, that the King's Servants were not Members. — If I am not mistaken, in one of our *Edwards* Reign, the Parliament address'd his Majesty, *That his Servants should be chosen into Parliament.*

To conclude, your Lordship says, all these things should have been done *previous to any other Consideration.*

This, my Lord, if it means any thing, means, that we should not have concerned ourselves with the Affairs of *Europe*; should not have granted any Supplies, on the present Plan projected for re-establishing the Peace of *Europe*, but should have remain'd totally inactive, till Matters had been (as it is called) settled at home, and *Vengeance*,
not

not *Justice*, stamp'd our Measures, and made us appear in the Eyes of *Europe* as acting a little low domestick Farce to a misguided inflamed People, instead of making Head ourselves, and bringing other Powers into the same Way of Acting, against their and our common Enemy: For sure, in a Crisis like this, or at any time when *Europe* is so embroil'd, it is *slight* and *unweighed*, not to look upon our Safety Abroad as the first Consideration. If the Balance of *Europe* is not a *Chimera*, and the reducing any overgrown Power, or succouring an oppress'd one, is sound Politicks, then *Negotiations*, *Subsidies*, *Auxiliaries*, *Armies*, *Fleets*, &c. may be proper Steps, and necessary Consequences, of our *Connexion* Abroad: And 'tis in the *Parliament* alone, when met, to decide, whether the particular Steps taken are conducive to this great End, and in that to the general Good of these Kingdoms.

I am,

My Lord, &c.

P I N I S;

General Council of the Nation.

To the Honorable Members of the National Council:

I have the honor to acknowledge the receipt of your letter of the 10th inst., and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

I am, Sir, very respectfully,
Your obedient servant,

J. M. Smith

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